

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-15 are pending

Claims 1-4 and 8-15 stand rejected.

Claims 5 -7 are indicated to be allowable if rewritten in independent form.

Claims 1 and 6 have been amended. Claims 5 and 12-15 have been cancelled without prejudice.

Claim 1 is the sole independent claim.

Claims 12-14 stand rejected under 35 USC 103(a) as being unpatentable over Oomura (USPPA 2003/0020413) in view of Pae (EP1221686). Claims 1-4, 8-11 and 15 stand rejected under 35 USC 103(a) as being unpatentable over Oomura in view of Miyazawa (USPPA 2004/0036664).

Claims 5-7 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter in claims 5-7 and has elected to amend claim 1 to include the subject matter recited in claim 5. Claim 1, as amended, is believed to be in a form consistent with the indication of allowable subject matter.

With regard to claims 6 and 7, these claims ultimately depend from claim 5, which has been incorporated into claim 1 and, hence, are also believed to be in allowable form in their dependent form.

For the amendments made to the claims, applicant submits that all the claims depend from claim 1 and, hence, are in allowable form.

With regard to the rejection of claims 12-16 under 35 USC 103, applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in order to expedite the prosecution of this matter, applicant has elected to remove these claims from further consideration at this time.

Applicant submits that the reason for the rejection of these claims is no longer applicable.

With regard to the rejection of claims 1-4, 8-11 and 15, applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, applicant has elected to amend independent claim 1 to include the subject matter recited in claim 5 and believes that claim 1, as amended, is consistent with the indication of allowable subject matter.

Applicant submits that for the amendment made to claim 1, to include the subject matter of claim 5, the reason for the rejection of these claims is no longer applicable.

For the amendments made to the claims and for the arguments presented, herein, applicant submits that the rejection of the claims has been overcome and respectfully requests that the rejections be withdrawn and that a Notice of Allowance be issued.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant

respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

Respectfully submitted,

Date: September 25, 2009

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